

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kenneth A. Jones, et al.
Serial No.: 09/211,755 Group Art Unit: 1646
Filed : December 15, 1998 Examiner: M. Brannock
For : DNA Encoding a GABA_BR2 Polypeptide and Uses
Thereof

1185 Avenue of the Americas
New York, New York 10036

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

DECLARATION OF BETH E. BOROWSKY PURSUANT TO 37 C.F.R. §1.132

I, Beth E. Borowsky, hereby declare as follows:

1. I am an inventor of U.S. Serial No. 09/211,755, filed December 15, 1998.
2. In the subject application, I incorporated by reference a paper by Kaupmann, et al. entitled "Expression cloning of GABA_B receptors uncovers similarity to metabotropic glutamate receptors", *Nature* (1997) **386**: 239-246 (the "Kaupmann Paper") to define the amino acid sequences of the GABA_BR1a and GABA_BR1b polypeptides.
3. A copy of the Kaupmann Paper is attached hereto as **Exhibit A**.
4. In Figure 3a on page 242 of the Kaupmann Paper, the amino acid sequences of the GABA_BR1a and GABA_BR1b polypeptides are set forth.
5. In the Amendment In Response To October 30, 2000 Final Office Action that is being filed concurrently with this Declaration, the specification of the subject application

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Exhibit 4

is being amended to include the amino acid sequences of the GABA_BR1a and GABA_BR1b polypeptides referred to in paragraph 4 above.

6. The amendatory material, namely, the addition of the amino acid sequences of the GABA_BR1a and GABA_BR1b polypeptides to the specification of the subject application, consists of the same material which I incorporated by reference into the subject application to define the amino acid sequences of the GABA_BR1a and GABA_BR1b polypeptides.
7. I hereby declare that all statements made herein on my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Feb 13, 2001
Date

Beth E. Borowsky
Beth E. Borowsky